

PROCEDURAL RULES FOR THE PERSONNEL APPEALS BOARD

1. This is the hearing of the grievance of _____.
2. This will be an informal non-judicial hearing. The decision by this Board will be based upon the facts presented by both parties. The purpose of the hearing is for the presentation of facts and not for the presentation of arguments of counsel. The decision of the Board will be final and binding upon all parties to this grievance.
3. The parties or their counsel may make opening and closing statements, however such statements must be confined to explaining or clarifying the grievant's case rather than attempting to introduce evidence outside the record.
4. The county will proceed first and present its case with an opportunity for cross-examination by the grievant and the Board. Witnesses for the county will testify at this time and are subject to cross-examination by the grievant and the Board.
5. Following presentation of case by the county the grievant will present his/her case supporting the remedial action requested by the grievant. Witnesses for the grievant will testify at this time and are subject to cross-examination by the county and the Board.
6. The Board shall afford full and equal opportunity to all parties to present any material and relevant evidence. All material and relevant evidence is admissible including hearsay. The Board shall be the judge of the materiality and relevancy of the evidence offered. Evidence shall be taken in the presence of the Board, the parties and their counsel.
7. Either party upon its motion has the absolute right to segregate witnesses during the hearing. If witnesses are segregated, witnesses other than the parties will be permitted in the hearing room only while giving their testimony.
8. Exhibits offered by the grievant or the agency may be received in evidence by the Board and, when so received, shall be marked and made a part of the record.
9. The Board shall decide procedural questions and rule upon objections raised during the course of the hearing.
10. After each side has had the opportunity to present its evidence, the Board chairperson shall specifically inquire of all parties whether they have any further evidence to offer or witnesses to be heard. Upon receiving negative replies, both parties shall be given the opportunity to make closing statements summarizing their positions, following which the hearing should be declared closed.
11. In closed session the Board will consider all information presented and following a majority determination by the Board, the chairperson, of the Board, will notify all parties to the grievance of the Board's decision. The Board shall render its decision within fifteen workdays of the conclusion of the hearing.
12. The hearings shall be reopened at any time before the actual implementation of the Board's decision:
 - a. Upon a majority vote of the Board on its own motion.
 - b. Upon a majority vote of the Board on the application of a party for good cause shown.
13. No recording or reporting equipment will be permitted during the course of the hearing.
14. The Board does not have the authority to formulate or change any county policies or procedures relating to this grievance.